



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

November 10, 2021

**By ECF**

The Honorable Loretta A. Preska  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: United States v. Smart Agunbiade, et al.,  
21 Cr. 609 (LAP)

Dear Judge Preska:

The Government writes, with the consent of defense counsel, to respectfully request that the Court so order a modification to the bail conditions for defendant Smart Agunbiade ("Agunbiade").

As background, on or about October 13, 2021, Agunbiade was arrested in the District of New Jersey in connection with the above-captioned case. Later that afternoon, Agunbiade was presented before Magistrate Judge Sarah Netburn, who released Agunbiade upon certain conditions, which included that Agunbiade secure two financially responsible persons to serve as the co-signers for his appearance bond. Since then, a representative of the U.S. Attorney's Office interviewed, and approved, one of Agunbiade's proposed co-signers as a financially responsible person.

Due to circumstances that have been brought to the Government's attention, the Government, with the consent of defense counsel, now seeks to remove the condition that two financially responsible persons serve as co-signers for Agunbiade's appearance bond, and to instead impose the following condition:

- One financially responsible person and one co-signer with moral suasion will serve as co-signers for Agunbiade's appearance bond.

The Government does not seek to modify any other of Agunbiade's bail conditions.

**SO ORDERED.**

Dated: November 12, 2021  
New York, New York

LORETTA A. PRESKA  
Senior United States District Judge

November 10, 2021

Page 2

Wherefore, the Government, with defense counsel's consent, respectfully requests that the Court so order the modification described above.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:                     /s/                      
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cc: Arlo Devlin-Brown, Esq. (via ECF)